

July 13, 1999

PUBLIC UTILITIES COMMISSION
Electronic Business Transactions Standards
(Chapter 323)

NOTICE OF RULEMAKING

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Notice of Rulemaking, we initiate a rulemaking to adopt the appended Electronic Business Transactions (EBT) Standards. The EBT Standards are a consensus recommendation of the EBT Maine Working Group (Working Group).

II. BACKGROUND & DISCUSSION

Chapter 322 of our rules governs metering, billing, collections, and enrollment interactions among transmission and distribution utilities and competitive electricity providers. Section 9(B) of the rule requires each transmission and distribution utility and each competitive electricity provider to transfer data between one another in accordance with procedures and formats specified in the EBT standards (section 9(B)(1))¹ and also requires competitive electricity providers to attend training as established in the EBT Standards (Section 9(B)(2)). Chapter 322 defines the term "EBT Standards" as:

the standards, established by the Electronic Business Transactions Standards working group and adopted by rule, that govern the procedures, electronic protocols, and data formats for transferring data electronically among transmission and distribution utilities and competitive electricity providers.

Chapter 322 § 1(G).

On July 20, 1998, the Commission issued a Notice of Inquiry into the Electronic Business Transaction Standards for the Exchange of Information in a Restructured

¹ This provision contains an exception for consumer-owned utilities.

Electricity Industry (Docket No. 98-522). In that Notice, we initiated a statewide working group to develop recommendations for procedures, electronic protocols, and data formats to be used when transferring data among entities in Maine after implementation of retail competition on March 1, 2000. The Notice directed the Working Group to use the Massachusetts EBT Standards document as a template and to modify those Standards only as necessary to adapt them to Maine statute or regulation. Any entity affected by the restructuring of Maine's electricity industry was invited to participate in the Working Group. The Inquiry directed the Working Group to choose a chair from among the members and also directed the Working Group to make decisions by consensus. On March 23, 1999, we issued a request for comments on a draft Working Group² report filed on February 26, 1999. The Public Advocate and Energy Express filed comments on the report. On June 18, 1999, the Working Group filed its recommended EBT Standards which incorporated comments made by interested persons.

In this rulemaking, we adopt the recommended Maine EBT Standards filed by the Working Group. Because this is a consensus document arrived at by the entities that will be implementing these processes as well as Commission Staff and because the purpose of the document is essentially to implement provisions of various restructuring rules such as Chapters 301 and 322, we do not propose any changes to the recommendations of the Working Group. In this rule, we do not adopt the technical specifications to the EBT Standards which are subject to frequent modifications as necessary. These technical specifications are arrived at by a consensus process in the Working Group and will be modified in the same manner. We do require that updates of these specifications be provided to the Commission. The specifications and any revisions to the specifications will be available through our web page.

III. RULEMAKING PROCEDURES

This rulemaking will be conducted according to the procedures set forth in 5 M.R.S.A. §§ 8051-8058. Written comments on the proposed amended rule may be filed with the Administrative Director no later than August 27, 1999. Please refer to the Docket Number of this proceeding, Docket No. 99-468, when submitting comments. No public hearing on this matter is presently scheduled, but one will be held if requested by any five interested persons. Persons wishing to request a public hearing on this rule must notify the Administrative Director, Public Utilities Commission, 242 State Street, 18 State House Station, Augusta Maine 04333-0018 (telephone: (207) 287-3831), on or before August 6, 1999.

² The Working Group consisted of Bangor Hydro-Electric Company, Central Maine Power Company, Energy Atlantic, Energy Options Consulting Group, Kennebunk

In accordance with 5 M.R.S.A. § 8057-A(1), the fiscal impact of the proposed rule is expected to be minimal. The Commission invites all interested persons to comment on the fiscal impact and all other implications of this proposed rule.

The Administrative Director shall send copies of this Notice and the attached proposed rule to:

1. All electric utilities in the State;
2. All persons who have filed with the Commission within the past year for all who have applied for a license or a written request for Notice of Rulemaking;
3. All persons who have filed an application with the Commission for a license as a competitive electrical provider.
4. All persons on the Commission's electric restructuring service list, Docket No. 95-462;
5. All persons listed on the service list or who filed comments in the Inquiry, *Public Utilities Commission, Investigation into Electronic Transaction Standards for the Exchange of Information in a Restructuring Industry*, Docket No. 98-522;
6. The Secretary of State for publication in accordance with 5 M.R.S.A. § 8053(5); and
7. Executive Director of the Legislative Council, State House Station 115, Augusta, Maine 04333 (20 copies).

Accordingly, we

O R D E R

1. That the Administrative Director send copies of this Notice of Rulemaking and attached proposed rule to all persons listed above and compile a service list of all such persons and any persons submitting written comments on the proposed rule; and
2. That the Administrative Director send a copy of this Notice of Rulemaking and attached proposed rule to the Secretary of State for publication in accordance with 5 M.R.S.A. § 8053.

Light & Power, MainePower, Maine Public Service Company and the Maine Public Utilities Commission Staff.

Dated at Augusta, Maine, this 13th day of July, 1999.

BY ORDER OF THE COMMISSION

Raymond Robichaud
Assistant Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond